

Possible responses to questions in consultation

Qu 1a

A proposed standard approach is potentially helpful. Our concern is that once a local authority or local authorities have signed up to high employment growth packages, the host community is then fixed into a continuous cycle of high growth > high demand > high provision > high growth. There is nowhere within this any mechanism in the standard approach for recognising the undesirable effect of cumulative growth in sensitive areas such as those bordered by Green Belt. Nor does it effectively cater for cross-boundary implications should a core authority wish to sign up for high employment growth with no effective means of meeting the generated/suppressed future demand.

In arguing for a predict and provide approach, there is no effective strategy for restricting growth to areas where there is a need for investment, in favour of areas which have existing low levels of unemployment. This should be addressed.

The Secretary of state suggests an upper cap of adjustment of 40% on baseline figures. That upper cap should expressly incorporate any future generated employment need, and should be allowable for one cycle only.

Qu 1b

There is a clear need for greater transparency and wider community debate on levels of employment growth. In previous eras, Structure Plans imposed restraint on economic hotspots that were over-heating, and provided a useful redistributive purpose in ensuring that sub-regions were adequately catered for, whilst setting realistic expectations. In the absence of these, too much power is placed in the hands of partially unelected quangos such as 'Oxford Growth Board' which are largely packed with employment interests. There is inadequate non-business interests to prevent such statutory groups predetermining growth which effectively excludes wider 'local community control'.

Levels of employment growth need to be open to far more complete public scrutiny.

Qu 2

Yes. We value the overall aim to minimise additional costs.

Qu 3

Yes. Undoubtedly this would represent an efficiency saving. This, presumably will set the baseline figure, which we have no issue with. However, we have an issue with the lack of an

effective means of restricting growth in an economically overheating area. In our case, Cherwell District Council has been forced to deal with Oxford's unmet housing need, and part of the revised NPPF should clarify the relative importance of Green Belt policy and transport policy. It would appear that the current means of calculating sustainability bears little or no relation in practice to policy restrictions such as Green Belt policy, resulting in a clash between either protecting the Green Belt, or supporting minimum commuting distances. This is at the risk (and reality) of generating ribbon development masquerading as sustainable urban extensions on core corridors leading from city employment zones.

Qu 4

No. In exception cases, the onus should be on Local Authorities to provide evidence that local community control is the guiding principle in agreeing to support LEP strategies, and that these have been fully publically consulted upon, not just with economic stakeholders, prior to full adoption as part of the evidence base. Part of the soundness test should be that such strategies are worded in specific language rather than generalities. In other words, strategies supporting growth should specify what the land use implications are, and what the expected derived need housing implications are.

Qu 5a

Not unless there are clear and transparent standards to which this could apply. In other words, we would not like events to slip through the net as a matter of convenience because major economic stakeholders had a stake in ensuring that the horse has bolted before the door was closed. We are concerned that the phraseology 'still need to take account of ... Green Belt [policy]' is not strong enough to override other policies concerning sustainability (in transport or access terms) which, in our experience, are strategically valued highly, whilst Green Belt restrictions are not.

Qu 5b

In areas where joint arrangements are currently in place, and have been fully consulted on, and concerning specific joint projects, yes, we have no issue with this. But our general concern remains that joint working groups tend to militate against full public consultation, and against effective local community control and in favour of officer-led technical arguments in which the public are effectively excluded from real control.

Qu 5c

We do not see why the principle used in the standard method cannot be applied to sub-areas within local authority areas in order to calculate housing need for exception areas such as National Parks where these are specifically designated by the Secretary of State.

Qu 6

In the case of the partial review of Cherwell's Local Plan, Part 1 in order to meet Oxford's unmet housing need, we would not want to encourage the Local Authority to rush through an assessment of the very numerous submissions made in respect of housing proposals in the Green Belt in order to meet the 31st March deadline. At present, and with the amount of work already undertaken, there is a huge incentive to do this and avoid the need substantially to review the allocations. This effectively takes control away from local communities in favour of a bureaucratic race. We would therefore propose that where draft Local Plans have been prepared for consultation at the pre-submission stage, with a closing date for representations after the date of the commencement of this consultation, that the revised methodology be applied and the plan revised prior to submission, but with no penalty on the Local Authority in respect of delivery targets.

Qu 7a

No. This is because the status of the Statements of Common Ground are not clear, and these do not appear to be open to public consultation in their own right. In the case of Cherwell District, the recently adopted Local Plan focuses development in Bicester and Banbury. However, the various Oxford Growth Board, and Oxfordshire LEP documents as supplemented by commissioned corridor studies, Green Belt impact studies, transport assessments, etc. are generated by unelected quangos in support of meeting Oxford's unmet housing need and new employment growth in the Green Belt immediately beyond the city, thus subverting the main thrust of the District's stated development strategy. This has the (un)intended result that the weight of evidence admitted to the evidence base is stacked in favour of the use of Green Belt land. This makes it hard to challenge by small third parties which are directly elected, as opposed to powerful stakeholders with obvious interests that exclude conservation.

We would therefore only support Statements of Common Ground that have clearly restricted scopes, such that they agree on the issues faced, and that the host authority will accept input from the bordering Local Authority, but not to the degree of fettering the discretion of the host authority to act on behalf of its own local community to best accommodate unmet exterior need.

Significantly, other than in the very broadest terms, we would oppose any definition of local housing markets in such a situation that effectively disaggregated the host Local Authority target from its responsibility to meet unmet need from a neighbouring authority. In other words, the definition of 'agreed housing market areas' (Para 69) must not be allowed to be so prescriptive as, effectively only to permit the meeting

Qu 8

We have reservations about this. As stated in our response to Question 7, our concern is that the Statements of Common Ground should not be allowed to become too prescriptive in agreeing 'agreed distributions' beyond total numbers allocated to each authority in the case of unmet housing need. It is important that the distributions remain at Local Authority level rather than becoming the subject of 'governance agreements' that could seek to prescribe the sorts of conditions and criteria that should apply in any actual allocation. In other words, as a local example, we don't want Oxford City Local Authority and Cherwell District Council agreeing a Statement of Common Ground that places high value on connectivity with the city, and which has no counter balancing statement viz a viz desirable outcomes such as the protection of the Green belt. this would conflict with the general aim set out in the Foreword 'to give local communities greater control'.

We have no issue with the concept of agreed Statements of Common ground, but more guidance needs to be provided concerning the scope, in order to prevent 'mission creep'. We therefore agree with the statement in paragraph 83 that 'plans should be prepared based on a strategy informed by agreements over the wider area;' and by wider area, we mean authority-wide.

Qu 9

We have no issue with the concept of incorporating Statements of Common Ground within the tests of soundness, but as set out in our responses to Questions 7 and 8, we believe that these statements must be closely defined and operate within non-prescriptive overall and general scopes so that a local community retains control over the allocations of general housing targets across a whole authority.

We also consider that these statements should have a sunset clause, such that agreements on high levels of growth within one Local Plan cycle do not carry weight over a second cycle. in effect, these should entirely lapse after ten years, and carry less weight in a first review after five years, and that should be enshrined in the guidance at the very least.

Qu 10

We would not support the raising of the age where the definition of older people is raised. We would support the recognition that in calculating the need for affordable homes, local authorities present data that reflects the diversity of needs spread across their areas, rather than a global target. this reflects the fact that in the South of Cherwell District, there are

very low levels of affordable homes, because they are more expensive to buy, and the Local Authority has largely relied on provision up to 16 miles away in cheaper parts of the district.

Qu 11a

Yes, in part, though there is scope for compromise here. In Cherwell District there are three large urban areas, each of which has distinctive characteristics. It would be reasonable to identify broad features for each area, and its rural hinterland without the need to dig down to parish level. We do not agree with the idea that a neighbourhood simply takes on a *pro rata* percentage of the overall housing target. That ignores existing suppressed need in some areas, and also ignores restraining features such as being surrounded by Green Belt.

Qu 11a

We would seek something more than a formula based solution. In our reply to 11a, we set out that there should be recognition of local factors (affordability, Green Belt, etc.) and zoning that should provide adequate information to facilitate neighbourhood planning, without the need for parish by parish assessments, which we believe would be cumbersome.

Qu 12

Yes, we agree. This should form part of the pre-submission process, and form a semi-binding contract with landowners proposing development sites.

Qu 13

We believe that developers should enter into semi-binding agreements with local authorities, such that failure to deliver within an agreed timescale should result in penalties that should be decided by arbitration.

Qu 14

It follows that we entirely agree that by the stage of a planning application, questions of viability should already have been resolved.

Qu 15

Social landlords should become statutory consultees at the preferred options stage of consultation.

Qu 16

There should be clear national and local guidance on the eco-standard required of new build housing and infrastructure (such as the inclusion of sprinkler systems in new schools). Best practice costs should be shared and evaluated among key developers with government involvement and assistance. Good practice should be enshrined in codes to ensure that approved developers are required for strategic sites as part of the development process.

Qu 17a

Yes.

Qu 17b

Tests should include:

- the basis of acceptability across areas such as building regulations
- timescales and agreed project planning
- agreed levels of land set aside prior to detailed planning for purposes such as leisure, retail, etc.

Qu 18 a, b

An increase in fees should certainly apply for strategic housing developments, or those above a threshold of 100 dwellings. Local Authorities are chronically under-resourced at present.

However, a 40% increase in fees seems a bit excessive, and might impact on the viability of some sites. We would expect final figures to be agreed after pilot testing of this.

Qu 18d

Yes. We would factor in the cost of monitoring the delivery of Section 106 agreements, and the publication of the results of Local Infrastructure Levies and what has been secured and

by when. We would support the publication by Local Authority of monies returned as unspent in annual reports.

Qu 19

We have referred to arbitration arrangements in the case of the non delivery of projects approved at the publication of the Submission Draft of the plan. We would endorse steps to underpin this with simplified compulsory purchase arrangements should it become clear that developers are 'playing the system' and frustrating local authorities' ability to meet agreed delivery targets.